

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

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GEORGE LUSTER,

Case No. 2:23-cv-01311-RFB-BNW

Petitioner,

v.

ORDER

JAMES DZURENDA, et al.,

Respondents.

With a previous order, this court denied Petitioner's motion to proceed *in forma pauperis* and directed him to pay the filing fee in order to proceed with his petition for writ of habeas corpus under 28 U.S.C. § 2254. ECF No. 3. He has complied with that order and paid the required fee. ECF No. 5. The court has reviewed the petition pursuant to Habeas Rule 4, and the petition shall be filed herein and served upon the respondents.

A petition for federal habeas corpus should include all claims for relief of which Petitioner is aware. If Petitioner fails to include such a claim in his petition, he may be forever barred from seeking federal habeas relief upon that claim. See 28 U.S.C. §2244(b) (successive petitions). If Petitioner is aware of any claim not included in his petition, he should notify the Court of that as soon as possible, perhaps by means of a motion to amend his petition to add the claim.

1 IT IS THEREFORE ORDERED that the Clerk shall FILE the petition for writ of habeas
2 corpus (ECF No. 1-1). The Clerk shall also ELECTRONICALLY SERVE the petition and a copy
3 of this order on the Respondents.

4 IT IS FURTHER ORDERED that the Clerk of the Court is directed to add Aaron Ford,
5 Attorney General of the State of Nevada, as counsel for Respondents and to provide Respondents
6 an electronic copy of all items previously filed in this case by regenerating the Notice of Electronic
7 Filing to the Office of the Attorney General only.

8 IT IS FURTHER ORDERED that Respondents shall have 60 days from the date of entry
9 of this order to appear in this action, and to answer or otherwise respond to the petition.

10 IT IS FURTHER ORDERED that if Respondents file an answer, Petitioner shall have 60
11 days from the date on which the answer is served on him to file and serve a reply. If Respondents
12 file a motion to dismiss, Petitioner shall have 60 days from the date on which the motion is served
13 on him to file and serve a response to the motion to dismiss. Respondents shall, thereafter, have
14 30 days to file a reply in support of the motion.

15 IT IS FURTHER ORDERED that any additional state court record exhibits filed herein by
16 either Petitioner or Respondents shall be filed with a separate index of exhibits identifying the
17 exhibits by number. The CM/ECF attachments that are filed further shall be identified by the
18 number or numbers of the exhibits in the attachment. The hard copy of any additional state court
19 record exhibits shall be forwarded – for this case – to the staff attorneys in Reno.

20 DATED: October 16, 2023

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U.S. District Judge Richard F. Boulware